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CLERK U.S. DISTRICT COURT	
WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

8 Nathen Barton,

9 Plaintiff

10 v.

11 Serve All, Help All, Inc.

12 and

13 John Doe 1-10

14 Defendant(s).

CASE NO. 3:21-cv-05338-BHS
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: Yes No

16 I. THE PARTIES TO THIS COMPLAINT

17 A. Plaintiff

Name	Nathen Barton
Street Address	4618 NW 11 th Cir
City and County	Camas, Clark County
State and Zip Code	Washington 98607
Telephone Number	(718) 710-5784

21 B. Defendant(s)

23 Defendant No. 1

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1	Name	Serve All, Help All, Inc
2	Job or Title (<i>if known</i>)	
3	Street Address	1503 South Coast Center Drive Suite 100
4	City and County	Costa Mesa
5	State and Zip Code	CA 92626
	Telephone Number	(855) 622 - 2435

6 Defendant No. 2

7	Name	John Doe 1-10
8	Job or Title (<i>if known</i>)	
9	Street Address	Unknown
10	City and County	Unknown
11	State and Zip Code	Unknown
	Telephone Number	Unknown

12 II. BASIS FOR JURISDICTION

13 Plaintiff Nathen Barton (hereinafter referred to as "Plaintiff") is a long-time resident of
 14 Clark County in Washington State. The text messages and phone calls received by Plaintiff were
 15 received by Plaintiff at his primary residence in Clark County, Washington State.

16 Jurisdiction in this court is correct because of where Plaintiff resides, a nexus where the
 17 acts occurred, and Plaintiff is suing in part under federal statute the Telephone Consumer
 18 Protection Act of 1991, known as the TCPA, giving rise to a lawsuit that may be brought in
 19 Federal Court pursuant to Mims v. Arrow Fin. Services, LLC.

21 III. STATEMENT OF CLAIM

22 On July 9, 2020, Plaintiff registered and paid for a Washington State (360) telephone area
 23 code cellular number to be primarily used by his minor child.

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1 On or about 1:40PM, February 15, 2021, while in Clark County, Plaintiff received a phone call
2 on that cell phone from (844) 622-2243. The entity placing the call used an automated dialing
3 and announcing device, commonly known as a robocall. The call was placed to his 360-area
4 code number. The start of the call was a recorded or artificially generated voice.

5

6 The call solicited services from the Nonprofit Alliance of Consumer Advocates (“NACA”) to
7 prevent real estate foreclosure. Serve All, Help All, Inc., (“SAHA”) a California corporation, is
8 doing business as (“dba”) Nonprofit Alliance of Consumer Advocates (“NACA”) with website
9 <https://nacalaw.org/>.

10

11 Eventually Plaintiff reached a live person. The call was disconnected during the solicitation, and
12 the same person called back within about a minute to continue the solicitation. Eventually the
13 call disconnected again.

14

15 Redialing (844) 622-2243, Plaintiff reaches a Spanish language answering message, so it appears
16 the calling number was faked.

17

18 SAHA does purport to be a non-profit entity but appears to be selling its own services and serves
19 as a gateway to sell products from other entities. Plaintiff received an email from
20 ccotta@nacalaw.org (see attached “Exhibit A”) in furtherance of the solicitation of SAHA
21 services, and in the email, a Carlos Cotta immediately solicited funds:

22 Good afternoon Mr. Barton, Here is the list of documents we are going to need from you.

23 Documents needed:

24 .

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1 .
2 Credit Report Authorization Form (Fill out all 3 pages)
3 .
4 .

5 The Credit Report Authorization Form was attached to the email sent to Plaintiff in Exhibit A
6 and Page 1 of this form (see attached "Exhibit B") directly solicited payment in exchange for
7 services. Plaintiff has information that this "charity" eventually requires the consumer to pay for
8 much more expensive services later in the solicitation process as reported in a yelp review at
9 <https://www.yelp.com/biz/nonprofit-alliance-of-consumer-advocates-costa-mesa> states in part:

10 "I spent months working with this organization. Your end game was that I need to pay an
11 attorney \$3900 for 'research and investigation' because you say my mortgage company
12 never responded, which is erroneous. . . . You requested money."

13
14 Upon information and belief, SAHA's primary business model is referring consumers to vendors
15 for "required services", and then takes a portion of the payments from those vendors.

16
17 Plaintiff received three robocalls from NACA. In each of the three robocalls, the start of the call
18 was a prerecorded or artificial voice message, the message did not identify him or herself, and
19 the company behind the call, and the purpose of the call within the first 30 seconds of initiating
20 the call, in violation of Washington State Law.

21
22 Over the next few days, NACA went on to robocall solicit plaintiff twice more at the 360-area
23 code number and solicited plaintiff on his personal cell phone with a 972-area code at 4:49PM on

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1 February 15, 2021, 1:18PM on February 17, 2021, and 4:30PM on February 17, 2021, and
2 5:43PM on February 17, 2021.

3
4 Plaintiff's personal cell phone with the 972-area code has been registered on the National Do Not
5 Call List more than 31 days prior to February 15, 2021.

6
7 The final robocall to the 360-area code number was on February 22, 2021, after which Plaintiff
8 finally was able to speak to someone at NACA who identified himself as a manager. This person
9 professed to being unaware that robocalls are illegal under federal law without express written
10 permission.

11
12 John Doe 1-10 are other people or legal entities that may share in liability for their involvement
13 in placing the calls or have such involvement in SAHA that they have personal liability for the
14 acts alleged in this complaint.

15
16 Plaintiff had no established business relationship with NACA or SAHA or any foreclosure
17 business and has not consented to any foreclosure-related telemarketing.

18
IV. RELIEF

19 SAHA violated Washington State, California State, and Federal laws by using automated
20 telephone dialing devices and using prerecorded or artificial voices to engage in telephone
21 solicitation of Plaintiff's cell phone without consent.

22
23 SAHA violated Federal law by soliciting Plaintiff's 972 area code cell phone number that is
24 registered on the FTC do-not-call list.

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SAHA violated Washington State and California laws by failing to identify themselves and the purpose of the calls within the first 30 seconds of the phone calls.

SAHA violated Washington State law by failing to register themselves and their agents as telemarketers in Washington State and California State.

Plaintiff prays for all possible damages, in law and in equity, statutory, real, and punitive, that he might be entitled to. These damages include but are not limited to court costs and attorney fees.

Plaintiff asks for treble damages under federal law and the Washington State Unfair Business Practices Act.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

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1 Date of signing: 5/4/2021

2 Signature of Plaintiff 

3 Printed Name of Plaintiff Nathan Bawden

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Exhibit A

New Client Intake Packet

Carlos Cotta <ccotta@nacalaw.org>
To: "farmersbranch2014@gmail.com" <farmersbranch2014@gmail.com>
Cc: Ricardo Porcayo <porcayo@nacalaw.org>

Good afternoon Mr. Barton. Here is the list of documents we are going to need from you.
Documents needed:

- Most recent mortgage statement from your lender
- 1 month of pay stubs/most recent pension statement/2020 social security awards letter
- 3 months of bank statements (all pages)
- 2018 and 2019 tax returns w/ W2's
- 1 recent utility bill (gas, electric or water)
- Hardship Letter (explaining what caused you to fall behind)
- Sign all pages on the Free Services Agreement that needs your signature after page 8
- Credit Report Authorization Form (fill out all 3 pages)
- RMA Form (please fill out pages and sign pages 5 & 6)
- 4506-T Form (please fill out, sign and date)
- Emergency Covid-19 Forbearance Form
- Missing Document Acknowledgement Form (sign and date) just in case you are missing any documents please sign it, so it can be ok to submit your file without this (these) documents.

Respectfully,

Carlos M. Cotta

DRE Lic: 02082207

CA Real Estate Agent/Volunteer Advocate

Address: 1503 South Coast Dr. Suite 100

Costa Mesa, CA 92626

Direct: 949.430.0475

Office: 877.243.4632

Wed, Feb 17, 2021 at 1:08 PM

N B <farmersbranch2014@gmail.com>

Fax: 949.502.0819
www.nacalaw.org

Exhibit A



NOTICE OF CONFIDENTIALITY : This Email message and its attachments (if any) are intended solely for the use of the addressees hereof. In addition, this message and the attachments (if any) may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. If you have received this message in error, please promptly notify us and immediately delete this message from your system.

5 attachments

- 4506-T Form (1).pdf**
95K
- Credit Report Authorization Form (1).pdf**
646K
- Emergency Covid-19 Forbearance Request.pdf**
276K
- Missing Documents Acknowledgement Form.pdf**
208K
- Mortgage Assistance Application_Bank-of-America (1).pdf**
1012K

Exhibit B



CREDIT CARD and CREDIT REPORT AUTHORIZATION FORM

**PLEASE PRINT OUT AND COMPLETE THIS AUTHORIZATION FORM
AND RETURN IT TO OUR OFFICE. (SIGN BELOW)**

CARD HOLDER AND APPLICANT ARE NOT THE SAME.

"I hereby Authorize Vision One and or
any of its Affiliates my expressed authorization to run a credit report.
NAME:

CARDHOLDER NAME:

ADDRESS:

Card type:

CREDIT CARD NUMBER

EXPIRATION DATE:

BILLING ZIP CODE:

CARD IDENTIFICATION NUMBER: (last 3 digits)

Credit Pull: \$29.00(Single) AMOUNT CHARGED: 0 \$

(Married Couples Only) \$50.00(Double) AMOUNT CHARGED: 0 \$

Rapid Response add \$12.00 per Person: 0 \$

OTHER \$

TOTAL: \$

SIGNATURE